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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,091	12/21/2001	Stephen R. Forrest	10644/11902	8289
26646	7590	03/14/2005	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			YAMNITZKY, MARIE ROSE	
			ART UNIT	PAPER NUMBER
			1774	

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/026,091

Dec. 21, 2001

FORREST et al.

10644/11902

EXAMINER

YAMNITZKY

ART UNIT

PAPER

1774

03032005

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Commissioner for Patents

The information disclosure statement filed January 07, 2005, with certificate of mailing dated January 05, 2005, fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered. The date on the certificate of mailing is the same as the mailing date of a notice of allowance under 37 CFR 1.311. Therefore, the fee set forth in 37 CFR 1.17(p) as well as the statement specified in 37 CFR 1.97(e) is required in order for the IDS to be considered by the examiner. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of the submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP 609 III.C(1).

With respect to time for filing the IDS relative to the RCE filed November 18, 2003, applicant's attention is respectfully directed to MPEP 609 III.B(1)(b).

Any inquiry concerning this communication should be directed to Marie R. Yamnitzky at telephone number (571) 272-1531. The examiner works a flexible schedule but can generally be reached at this number from 6:30 a.m. to 4:00 p.m. Monday, Tuesday, Thursday and Friday, and every other Wednesday from 6:30 a.m. to 3:00 p.m.

The current fax number for Art Unit 1774 is (703) 872-9306 for all official faxes. (Unofficial faxes to be sent directly to examiner Yamnitzky can be sent to (571) 273-1531.)

MRY

March 03, 2005

Attachment: PTO-1449 received January 07, 2005

MARIE YAMNITZKY
PRIMARY EXAMINER

1774